

ENTERED

February 13, 2025

Nathan Ochsner, Clerk

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

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| JAMES THOMAS ENGLISH, | § CIVIL ACTION NO 4:24-cv-02120 |
| Plaintiff, | § § § |
| vs. | § JUDGE CHARLES ESKRIDGE § § |
| FREEDOM MORTGAGE COMPANY LLC, <i>et al</i> , Defendants. | § § § |

**ORDER ADOPTING
MEMORANDUM AND RECOMMENDATION**

Plaintiff James Thomas English proceeds here *pro se*. He filed a complaint against Defendants to prevent foreclosure on real property. Dkt 1.

The matter was referred to Magistrate Judge Peter Bray. Dkt 11. He issued an Amended Memorandum and Recommendation on September 3, 2024, in which he recommended that this case be dismissed without prejudice for lack of subject-matter jurisdiction. Dkt 26. Plaintiff filed objections. Dkt 28. Upon consideration of both, the objections were overruled, and the Amended Memorandum and Recommendation was adopted. Dkt 32.

Plaintiff then filed a motion for reconsideration. Dkt 33. Defendant Freedom Mortgage Corporation filed a response. Dkt 34. Judge Bray issued another Memorandum and Recommendation, there recommending that the motion for reconsideration be denied on the grounds that Plaintiff didn't establish that any of the Rule

59(e) factors applied so as to justify reconsideration. Dkt 35. None of the parties filed objections.

The district court reviews *de novo* those conclusions of a magistrate judge to which a party has specifically objected. See FRCP 72(b)(3) & 28 USC § 636(b)(1)(C); see also *United States v Wilson*, 864 F2d 1219, 1221 (5th Cir 1989, *per curiam*). The district court may accept any other portions to which there is no objection if satisfied that no clear error appears on the face of the record. See *Guillory v PPG Industries Inc*, 434 F3d 303, 308 (5th Cir 2005), citing *Douglass v United Services Automobile Association*, 79 F3d 1415, 1430 (5th Cir 1996, *en banc*); see also FRCP 72(b) advisory committee note (1983).

No clear error otherwise appears upon review and consideration of the Memorandum and Recommendation, the record, and the applicable law.

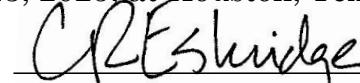
The Memorandum and Recommendation of the Magistrate Judge is ADOPTED as the Memorandum and Order of this Court. Dkt 35.

Any other pending motions are DENIED AS MOOT. This case is DISMISSED WITHOUT PREJUDICE.

This is a FINAL JUDGMENT.

SO ORDERED.

Signed on February 13, 2025, at Houston, Texas.



Hon. Charles Eskridge
United States District Judge